

BOARD OF SELECTMEN

Minutes of the Meeting of 6 December 2006 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Kopko, Catherine Flanagan Stover and Whiting Willauer. Chairman Willauer called the meeting to order at 6:00 PM.

Announcements. Town Administrator Libby Gibson announced that Department of Public Works Director Jeff Willett is a recipient of the New England Water Environment Association's James J. Courchaine Award.

Public Comment. John McLaughlin spoke in support of gasification technology to deal with solid waste disposal.

Approval of Minutes of 28 November 2006 at 10:00 AM. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 3 December 2006. The Board approved the payroll warrant by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 6 December 2006. The Board approved the treasury warrant and pending contracts by unanimous consent.

Citizen/Departmental Requests

1. 2007 Annual License Renewals: Annual Liquor Licenses; Entertainment Licenses; Motor Vehicle Rental Agency Licenses; Class I, II, III Motor Vehicle Sales Licenses; Mobile Food Unit Licenses; Flowers/Produce Licenses; Common Victualler Licenses. Chairman Willauer asked if there are any concerns regarding entertainment licenses. Mr. Chadwick moved to continue the matter pending more information on entertainment and annual liquor licenses. Mr. Kopko seconded. Ms. Gibson noted that administrative requirements to proceed to the next step depend on the local approval of liquor licenses. Chief Pittman noted that only one location, The Muse, has had continual complaints, although dealings have been recently satisfactory. Mr. Chadwick moved to renew all annual licenses with any and all restrictions as currently exist, excepting the liquor license for The Muse pending a report next week by Chief Pittman. Mr. Kopko seconded. So voted unanimously.

2. Request for Approval of 2007 Temporary Increased Resident Population Estimate in Accordance with Massachusetts General Law Chapter 138, Section 17. Town Administrator Libby Gibson explained the request, which relates to the quota for seasonal liquor licenses. Mr. Kopko moved to approve the document for temporary increased residential population estimate for 2007 at 52,500. Mr. Bennett seconded. So voted unanimously.

3. Citizen Request for Waiver of Sewer Portion of Water Bill for Premises at 135 Orange Street. Ms. Gibson provided background information, noting this is not a billing error and that such waivers have not been granted in the past. Ms. Margaret Davidson of 135 Orange Street spoke in favor of the request. Mr. Bennett moved to approve the request to waive the sewer portion of the water bill. Ms. Stover asked about funds available from any tree commission groups. Wannacomet

Water Company Manager Bob Gardner spoke against granting the request, noting that these types requests are summarily denied and that abatement is in place for instances in which true billing errors occur. Discussion followed on the particular situation. DPW Director Jeff Willett added an explanation of the calculation of the sewer portion of the fee. Mr. Bennett moved to grant a waiver of 80% of the fee. There was no second. Mr. Chadwick moved to deny the request. Chairman Willauer seconded. On the motion, Mr. Kopko, Mr. Chadwick, Ms. Stover and Chairman Willauer voted in favor of the denial of the waiver. Mr. Bennett voted in opposition.

4. Nantucket Housing Office: Request for Funding for Advocacy Services for Nantucket Community Housing Bank Legislation. Nantucket Housing Office Executive Director Leedara Zola reviewed the request for \$8,000 and provided a history of the legislation. Discussion followed on the legislative process and the question of the Town providing this item under short notice and without direction from Legislative Liaison Tim Madden. Ms. Zola spoke further in favor of the request. Mr. Kopko suggested this would be money "well spent" from the Board of Selectmen budget. Discussion followed on other uses for the money and the need for more information. Ms. Stover moved to approve the request for \$8,000. Mr. Kopko seconded. Discussion followed on the inclusion of the Legislative Liaison in the process and the practice of other communities, particularly Martha's Vineyard. Jason Graziadei of *The Inquirer and Mirror* inquired as to any precedent for the request. Ms. Gibson stated that to her knowledge there has been no such expenditure. Discussion followed on the support of the Nantucket Housing Office via Community Preservation funds. On the motion, Mr. Kopko, Ms. Stover and Chairman Willauer voted in favor to grant the funds. Mr. Bennett and Mr. Chadwick voted in opposition. So voted to provide \$8,000 to the Nantucket Housing Office for funding for advocacy services for the housing bank legislation.

5. Resignation: Finance Committee. Mr. Kopko moved to accept the resignation of Lindsey Perry from the Finance Committee and to send him a letter of thanks for his service. Ms. Stover seconded. So voted unanimously.

Town Administrator's Report

1. Departmental Overview: Historic District Commission. Ms. Gibson introduced HDC Administrator Mark Voigt who provided a presentation on his department. Assistant Administrator Aaron Marcavitch commented on the value of preservation and the desire of the staff to assist the public. Discussion followed on violations of HDC rulings, enforcement processes and file storage. Discussion continued on consistency with rulings and the overall success of the HDC in meeting its goals.

2. FY 2008 General Fund Budget Recommendations. Ms. Gibson provided a presentation regarding the FY08 general fund budget recommendations; she reviewed departmental supplemental budget requests and the criteria used to make recommendations. Ms. Gibson noted that the budget is currently balanced without the supplemental requests. She reviewed Board goals for 2006-2007 and that corresponding funding is required to implement many of the objectives to the goals. She reviewed the status of collective bargaining contracts and outlined next steps involving subsequent reviews by the Board over the next three weeks and a presentation to the Finance Committee on January 8th accordance with the timeline approved by

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the Board in June. Barbara Gookin spoke in support of the funding request of the Energy Committee and discussion followed on an override option for this item.

3. Review of Board of Selectmen's Meeting Schedule for December. Ms. Gibson reviewed upcoming agenda items, noting regular and various workshop meetings.

Selectmen's Reports/Comment

Mr. Chadwick moved to refer a matter to Town Counsel regarding a private property owner seeking a Department of Environmental Protection license for a pier on Town property in Madaket. Ms. Stover seconded. So voted unanimously.

Mr. Kopko spoke on creating a committee experience form for feedback from former members. He also asked for feedback on committee attendance and minutes. The Board consented to review this on a future agenda.

Mr. Bennett asked for the Board to re-consider its meeting times for meetings scheduled during the day.

Ms. Stover praised the Council on Aging and plugged a safe driving program to occur this Friday. COA Administrator Linda Roberts provided details of the program. Ms. Stover moved that the Board pursue the possibility of extending the Final Environmental Impact Report comment period as related to the Sconset Beach Nourishment Project. There was no second.

Ms. Stover noted that census experts are available to help her office acquire an accurate count of the island residents.

Chairman Willauer read a letter from Town Clerk Catherine Stover regarding a request to appoint Barbara Kotalac as Registrar pro tem to serve in the recounting of ballots of the November 21, 2006 election of selectman. Mr. Kopko moved to do so. Mr. Chadwick seconded. So voted unanimously with Ms. Stover recusing herself.

At 7:54 PM, Chairman Willauer called for a roll call vote and the Board voted unanimously to adjourn to executive session, not to return to open session, for the purpose of discussing a matter of litigation.

Approved the 27th day of December 2006.